



DISTRICT COURT OF GUAM  
TERRITORY OF GUAM

DAVID J. LUBOFSKY,

Plaintiff,

vs.

GOVERNMENT OF GUAM; GOVERNMENT  
OF GUAM RETIREMENT FUND,

Defendants.

CIVIL CASE NO. 04-00031

**SCHEDULING NOTICE**

**A. ALEXANDER GORMAN**  
Law Offices of Gorman & Gavras  
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208 Route 4  
Hagatna, Guam 96910

**OFFICE OF THE ATTORNEY GENERAL**  
Solicitor Division  
Suite 2-200E, Guam Judicial Center  
120 West O'Brien Drive  
Hagatna, Guam 96910

The Local Rules establish procedures for complying with Rule 16(b) and 26(f) of the Federal Rules of Civil Procedure. Counsel should study Local Rules before attempting to process cases in this Court.

Pursuant to Local Rule 16.1 and 16.2, it is hereby ORDERED that:

1. Counsel of record and all pro se litigants that have appeared in the case must meet and confer, within fifteen (15) days after receipt of this Notice, but no later than sixty (60) days after the filing of the complaint, prior to commencing discovery.

2. A proposed Scheduling Order and a proposed Discovery Plan shall be

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1 filed on or before the 8<sup>th</sup> of **September, 2004**. Careful and immediate attention should be given  
2 to the directions in Local Rules 16.1 and 16.2 to ensure complete and timely compliance with  
3 Federal Rules 16(b) and 26(f), and Local Rules.

4           3.       Plaintiffs' counsel, or if the plaintiff is pro se, then the pro se plaintiff,  
5 must take the lead in the preparation of the Scheduling Order. If a defendant is not contacted by  
6 a pro se plaintiff within the required time frame, the defendant's counsel shall contact the pro se  
7 plaintiff and arrange a meeting to comply with this Rule in the appropriate time frame. The  
8 failure of a party or its counsel to participate in good faith in the framing of a Scheduling Order  
9 may result in the imposition of sanctions.

10           4.       Counsel of record and all pro se litigants that have appeared in the case  
11 are jointly responsible for submitting a Proposed Discovery Plan to the Court.

12           5.       A Scheduling Conference shall be held on the **23<sup>th</sup> day of September,**  
13 **2004, at 3:00 p.m.**

14           6.       Counsel are reminded that:

- 15                   a)     The filing of motions does not postpone discovery.
- 16                   b)     Local Rule 37.1 governs discovery disputes and motions.
- 17                   c)     The number and form of interrogatories are governed by  
18                               Local Rule 33.1.
- 19                   d)     Discovery documents and certificates of service shall not be  
20                               filed with the Clerk until there is a proceeding in which the  
21                               document or proof of service is in issue.

22           Dated: August 6, 2004

MARY L.M. MORAN  
Clerk , District Court of Guam

23                               By: Jose A. Li  
24                               Deputy Clerk